

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

DANIEL FRYE et al.,)	
)	
Plaintiffs,)	Case No.: 1:20-cv-00751-SM
vs.)	
)	
WILLIAM M. GARDNER et al.,)	
)	
Defendants.)	
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**PLAINTIFFS' WITHDRAWAL WITHOUT PREJUDICE
OF THE MOTION FOR A PRELIMINARY INJUNCTION**

Plaintiffs hereby withdraw their Motion for a Preliminary Injunction ("Motion") based on the following:

1. The parties have resolved the issues raised in the Motion as outlined in the Term Sheet attached as Exhibit A, which terms shall be enforceable by the Court. Exhibit A, ¶ 15.
2. In light of the parties' agreement, there is no need for a hearing on the Motion and Plaintiffs withdraw it without prejudice to filing a further motion for preliminary injunctive relief at a later date if necessary. Exhibit A, ¶ 14.

WHEREFORE, the Plaintiffs request that this Court:

- A. Accept this notice and cancel the hearing scheduled for August 31, 2020; and
- B. Grant such further relief in favor of the Plaintiffs as the Court deems just and proper.

Dated: August 28, 2020

Respectfully submitted,

DISABILITY RIGHTS CENTER-
NEW HAMPSHIRE, INC.

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that a copy of Plaintiffs' Withdrawal Without Prejudice of Motion for a Preliminary Injunction was served on all counsel of record via ECF.

Dated: August 28, 2020

/S/ Pamela E. Phelan
Pamela E. Phelan